【TRANSLATION】

PRE-NOTIFICATION OF REASONS FOR THE POSSIBLE REJECTION OF THE PENDING PATENT EXAMINATION

Name : LG Electronics, Inc.
(Patent Attorney: Mr. Thomas Q. T. Tsai)
Issued Date: November 16, 2005
Ref. No.: (94) IP-2 (5)-04145-09421041660

SYLLABUS :

In the matter of patent application No. 092129353 under examination, this Office considers that further clarification is needed, as set forth in Item 3 of the following Explanation. If the applicant has any concrete rebuttal evidence or responsive explanation, please submit them in duplicate to this Office within 60 days following the date of service. The TIPO shall proceed with the examination on the basis of the materials presently available in the event of the applicant's failure to act in accordance with the letter within the time limit.

EXPLANATIONS :

1. Any supplement and/or amendment effected to the subject application should comply with Articles 48 and 49 of the Patent Act and Article 28 of the Implementation Regulations of the same Act.

2. If the applicant wishes to come to this Office for a personal demonstration or explanation, please denote "Apply for Interview" in the response and an official fee of NT$1,000 should be paid at the same time. The venue and time of the "interview" will be further arranged should this Office deem it necessary.

3. After examination, the present application is considered that:
   3.1 The present application entitled "METHOD FOR PROCESSING CONNECTION REQUEST OF A DISK PLAYER" and filed on October 22 includes a total of 49 Claims, wherein Claims 1, 21, 31, 40, 47 are independent claims, and the others are dependent claims.

   3.2 Claim 1 is a method for connecting a media player to a remote server, and the method comprises: (1) processing a request for connecting to a remote server while reproducing data recorded on an enhanced navigation medium (ENAV Medium); (2) processing connection information recorded on the enhanced navigation medium to determine whether connection to the remote server is permitted; (3) requesting connection to the remote server, if connection to the remote server is permitted in

accordance with the connection information. However, the European Patent Publication no. EP1267352(A2) published on December 18, 2002 and entitled "Information storage medium containing preload information, apparatus and method for reproducing there for" (see Citation) has disclosed the technical features of a method for utilizing the preload information of preload list file stored on the enhanced navigation (ENAV) medium while reproducing data recorded on the medium, wherein the preload list file contains the location information and the preload information and is implemented by an Application Program Interface (API). Further, the location information comprises the path of the preload list file and a resource locator, which indicates one of the memory, the information storage medium, and an internet server (see the illustrations recited in Paragraph [0015] to [0017] and Figure 3 of the Citation), which utilizes the preload list file comprising connection information connective to the path of network server recorded on the recording medium, and the preload file so as to connect to internet server by presentation engine (similar to the ENAV engine of the present invention and see the illustrations recited in Paragraph [0037] and Figure 3 of the Citation) so that the files can be preload into the memory while reproducing data recorded on the medium. Thus, the technical features recited in the Citation are similar to the technical features of the present Claim recited in above steps (1)(2)(3). Although, the present Claim mentioned that it must make a decision to permit the connection to the remote server, and only if the connection to the remote server is permitted, the connection to the remote server is requested. However, such technical feature can be easily achieved by referring to the Citation. In sum, the key to reject the present Claim are (A) both utilizing the enhanced navigation (ENAV) medium; (B) both the connection information are recorded on the medium so as to connect to the remote server to read the preload list file. Therefore, Claim 1 can easily be achieved by ordinarily skilled persons in the relevant art based on existing prior art before the application for patent is filed. Consequently, the independent Claim 1 fails to meet the inventive step (nonobviousness) requirement.

3.3 Claim 2 depends on Claim 1, which defines that the connection is recorded in a start-up file, and reads the file prior to reproduction of the data recorded on the ENAV medium (see the illustrations recited in Paragraph [0050] and Figure 4 of the Citation). However, the Citation has mentioned that the file (STARTUP.HTM) on ENAV medium is designated as a start document. Consequently, the present Claim 2 fails to meet the inventive step requirement.

3.4 Claim 3 depends on Claim 2, which defines that the start-up file comprises information associated with a list of additional contents to be loaded before the data on the ENAV medium is reproduced. However, the Citation (see Figure 7 and Paragraph [0061] of Citation) has disclosed that the presentation engine identifies the connection

address (the path of the preload list file) and reads the files (the preload list file). Then the presentation engine identifies the files to be preload, and the files are recorded in the preload list file (corresponding to a list of additional contents to be loaded of the present Claim 3). Consequently, the present Claim 3 fails to meet the inventive step requirement.

3.5 Claim 4 depends on Claim 2, which defines that the start-up file comprises information associated with a right to reproduce the data recorded on the ENAV medium. The present claim is merely related to a simple application. Consequently, the present Claim 4 fails to meet the inventive step requirement.

3.6 Claim 5 depends on Claim 2, which defines that the start-up file comprises information associated with a region code. However, the Citation has mentioned that invoke API, which is inserted into the region code bounded by script tag and reads the preload list file. Consequently, the present Claim 5 fails to meet the inventive step requirement.

3.7 Claim 5 depends on Claim 2, which defines that the start-up file comprises information associated with a region code. The present claim is merely related to a simple application. Consequently, the present Claim 5 fails to meet the inventive step requirement.

3.8 Claim 6 depends Claim 2, which defines that the start-up file comprises information associated with a language of the additional contents. However, the DVD recording medium permits the selection of a variety of language or subtitle. Therefore, it is easy to conceive of the language of additional information. Consequently, the present Claim 6 fails to meet the inventive step requirement.

3.9 Claim 7 depends on Claim 2, which defines that the start-up file comprises information associated with memory management. However, the Citation (see the Figure 10 of Citation) has disclosed that the size amount of the files to be preload is associated with memory. Consequently, the present Claim 7 fails to meet the inventive step requirement.

3.10 Claim 8 depends on Claim 2, which defines that the start-up file comprises information associated with a file to be processed after the start-up file is processed. The present claim and the Citation both process the other files only after the start-up file is processed. Consequently, the present Claim 8 fails to meet the inventive step requirement.

3.11Claim 9 depends on Claim1, which defines that the connection information comprises a list of servers to which the media player may connect. The present claim is merely related to a simple application. Consequently, the present Claim 9 fails to meet the inventive step requirement.

3.12 Claim 10 depends on Claim1, which defines that the connection information comprises a list of servers to which the media player may not connect. The present claim is merely related to a simple application. Consequently, the present Claim 10 fails to meet the inventive step requirement.

3.13 Claim 11 depends on Claim1, which defines that the data recorded on the enhanced navigation medium comprises audio/video (A/V) data. The present claim is prior art of the Citation. Consequently, the present Claim 11 fails to meet the inventive step requirement.

3.14 Claim 12 depends on Claim 11, which defines that the data recorded on the enhanced navigation medium comprises additional contents associated with the A/V data. The present claim is prior art of the Citation (i.e. the A/V data and the additional preload information are reproduced in synchronization, such as Claim 22 recited in the Citation). Consequently, the present Claim 12 fails to meet the inventive step requirement.

3.15 Claim 13 depends on Claim 12, which defines that the A/V data and the additional contents are reproduced in synchronization. The present claim is prior art of the Citation (i.e. the A/V data and the additional preload information are reproduced in synchronization, such as Claim 22 recited in the Citation). Consequently, the present Claim 13 fails to meet the inventive step requirement.

3.16 Claim 14 depends on Claim 1, which defines that the connection information comprises at least one connection address for connecting to the remote server. The present claim is merely related to a simple application based on the Citation (see the above description of Item 3.2). Consequently, the present Claim 14 fails to meet the inventive step requirement.

3.17 Claim 15 depends on Claim 1, which defines that a start-up file comprises the connection information, wherein the start-up file comprises information associated with a walled-garden file comprising location information about at least on server. The present claim is merely related to a simple application based on the Citation (see the above description of Item 3.2). Consequently, the present Claim 15 fails to meet the inventive step requirement.

3.18 Claim 16 depends on Claim 15, which defines that the walled-garden file comprises information about at least one server to which the media player may connect to retrieve additional contents associated with the data recorded on the enhanced navigation medium. The present claim is merely related to a simple application based on the Citation (see the above descriptions of Items 3.2, 3.11 and 3.17). Consequently, the present Claim 16 fails to meet the inventive step requirement.

3.19 Claim 17 depends on Claim 15, which defines that the walled-garden file comprises information about at least one server to which the media player may not connect to retrieve additional contents associated with the data recorded on the enhanced navigation medium. The present claim is merely related to a simple application based on the Citation (see the above descriptions of Items 3.2, 3.11 and 3.17). Consequently, the present Claim 17 fails to meet the inventive step requirement.

3.20 Claim 18 depends on Claim 15, which defines that the walled-garden file comprises at least one entry associated with loading information that controls access to information available on the at least one server. However, since the present claim is merely related to operation of the information on the walled-garden file (relative to the address of server) and the at least one server, its main spirit has been included in the Citation. Consequently, the present Claim 18 fails to meet the inventive step requirement.

3.21 Claim 19 depends on Claim 18, which defines that the loading information comprises at least a condition for loading information available on the at least one server. However, since the present claim is merely related to operation of the information on the walled-garden file (relative to the address of server) and the at least one server, its main spirit has been included in the Citation. Consequently, the present Claim 19 fails to meet the inventive step requirement.

3.22 Claim 20 depends on Claim 19, which defines that the loading information comprises at least one of a language or a profile supported by the media player. The present claim is merely related to a simple application (i.e. the known DVD supports the playback of different languages). Consequently, the present Claim 20 fails to meet the inventive step requirement.

3.23 Claim 21 is a method for processing a connection request of an ENAV media player, the method comprising: (1) determining a current operating mode and connection limitation information, in response to a connection request for connecting the player to a remote server; (2) submitting the request to the remote server to establish a connection, based on the current operating mode and the connection limitation

information. However, the present claim merely uses the connection information of the ENAV medium to connect to the remote server with limitation information, which merely adds a limitation function. The limitation function can be easily conceived of based on the connection information (for example, the function of remote connection is restricted to legal ENAV medium only). Moreover, the ENAV medium recited in the Citation also has preload list information to connect to the remote server and thus the present claim can be easily conceived by referring to the Citation. Consequently, the present Claim 21 fails to meet the inventive step requirement.

3.24 Claim 22 depends on Claim 21, which defines that the connection request is submitted, if the current operating mode is an enhanced navigation playback mode. However, the Citation also comprises the STARTUP.HTM in the ENAV information to connect to the remote server and if the current operation mode is not an EAVE mode, the playback of the traditional AV data is submitted so as to conform to the known playback system. Consequently, the present Claim 22 fails to meet the inventive step requirement.

3.25 Claim 23 depends on Claim 21, which defines that the connection request is submitted, if the connection limitation information provides permission for the remote server to be contacted. The present claim is merely related to a connection of limitation information to the remote server and is also a simple application. Consequently, the present Claim 23 fails to meet the inventive step requirement.

3.26 Claim 24 depends on Claim 21, which defines that the connection request is submitted, if the current operating mode is an interactive disk playback mode and if the connection limitation information indicates that the remote server may be contacted. The present claim is merely related to a connection of limitation information to the remote server and is also a simple application. Consequently, the present Claim 24 fails to meet the inventive step requirement.

3.27 Claim 25 depends on Claim 21, which defines that the connection limitation information is included in a start-up file residing on an ENAV medium. However, the present claim is merely related to a simple application based on adding a limitation action to the connection information. Consequently, the present Claim 25 fails to meet the inventive step requirement.

3.28 Claim 26 depends on Claim25, which defines that the start-up file is read prior to the player reproducing data recorded on the ENAV medium. Consequently, the present Claim 26 fails to meet the inventive step requirement based on the above description

of Item 3.3.

3.29 Claim 27 depends on Claim 25, which defines that the start-up file comprises information associated with a list of additional contents to be loaded before data recorded on the ENAV medium is reproduced. Consequently, the present Claim 27 fails to meet the inventive step requirement based on the above description of Item 3.4.

3.30 Claim 28 depends on Claim 25, which defines that the start-up file comprises information associated with a right to reproduce data recorded on the ENAV medium. Consequently, the present Claim 28 fails to meet the inventive step requirement based on the above description of Item 3.5.

3.31 Claim 29 depends on Claim 25, which defines that the start-up file comprises information associated with a region code. However, the present Claim 29 fails to meet the inventive step requirement based on the above descriptions of Item 3.6. Consequently, the present Claim 29 fails to meet the inventive step requirement based on the above descriptions of Items 3.6 and 3.7.

3.32 Claim 30 depends on Claim 27, which defines that the start-up file comprises information associated with at least one of a language of the additional contents, a memory management, and a file to be processed after the start-up file is read. Consequently, the present Claim 30 fails to meet the inventive step requirement based on the above descriptions of Items 3.8 to 3.10.

3.33 Claim 31 is an ENAV player for processing data recorded on a recording medium, the player comprising: (1) an audio/video (A/V) player engine; (2) an enhance navigation (ENAV) engine; wherein if the recording medium is not an enhance navigation medium then A/V data recorded on the recording medium is reproduced by the A/V player engine, and wherein if the recording medium is an ENAV medium, than a start-up file is loaded into a first memory so that the ENAV engine can extract connection information about at least one server with additional contents. However, the recording medium recited in the Citation comprises A/V zone and ENAV zone so as to be compatible with the player having A/V playback function only while being compatible with the player having the playback function of the ENAV medium. Moreover, the presentation engine (corresponding to the ENAV engine of the present claim) recited in the Citation loads the STARTUP.HTM into the memory first before playing the ENVA medium. Thus, the present claim can be easily be conceived by referring to the Citation. Consequently, the present Claim 31 fails to meet the inventive step requirement.

3.34 Claims 32-39 depend on Claim 31, all define that the loading information of the start-up file comprises the limited conditions to limit access to a remote server. However, the limited condition is merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access to the information, and there is a limited mechanism for protecting children from accessing the information and so on). Consequently, the Claims 32-39 fails to meet the inventive step requirement based on the above descriptions of Items 3.2 to 3.22.

3.35 Claim 40 is an ENAV medium, the medium comprising: (1) A/V data; (2) connection information for controlling access to additional contents available through at least one remote server, wherein the additional contents is reproduced in synchronization with the A/V data. The present claim can be easily conceived by referring to Claim 22 recited in the Citation of reproducing AV data with additional preload information. Consequently, the present Claim 40 fails to meet the inventive step requirement.

3.36 Claims 41-46 depend on Claim 40, all define that the connection information comprises a variety of condition to limit access to the additional contents available on a remote server. However, the limited condition is merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access the information and so on). Consequently, the Claims 41-46 fails to meet the inventive step requirement based on the above descriptions of Items 3.2 to 3.22.

3.37 Claim 47 is a method of playing back A/V data recorded on an ENAV medium, the method comprising: (1) identifying a playback mode; (2) decoding a start-up file recorded on the enhanced navigation medium, if the playback mode identifies an enhanced navigation mode, wherein the start-up file comprises first an second information; (3) decoding the first information to determine location of at least one remote server that provides access to additional contents to be played back in synchronization with the A/V data; (4) decoding the second information to determine at least one condition associated with the additional contents. However, the present claim merely uses the connection information of the ENAV medium to connect to the remote server with limitation information, which merely adds a limitation function. The limitation function can be easily conceived of based on the connection information (for example, the function of remote connection is restricted to legal ENAV medium only, and there is a limited mechanism for protecting children from accessing to the information and so on). Moreover, the ENAV medium recited in the Citation also has preload list information to connect to the remote server and thus the present claim can be easily conceived by referring to the Citation. Consequently, the

present Claim 47 fails to meet the inventive step requirement.

3.38 Claims 48-49 depend on Claim 47, all define that the decoded first and second information are associated with a profile, language, and parental condition for loading the additional contents. However, the limited condition is merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access to the information, and there is a limited mechanism for protecting children from accessing to the information and so on). Consequently, the Claims 48-49 fails to meet the inventive step requirement based on the above descriptions of Items 3.2 to 3.22.

3.39 In conclusion, the present application can easily be conceived by ordinarily skilled persons in the relevant art based on existing prior art before the application for patent is filed, and fails to comply with Paragraph 4, Article 22 of the Patent Art.

4. The Application Form for Supplement and/or Amendment should be submitted in duplicate if any supplement and/or amendment are made. Moreover, a mark-up version in duplicate showing changes made to the specification and a clean version of amended pages of the specification and/or drawings in triplicate for substituting the original should be submitted. The entire specification and/or drawings should be submitted in triplicate, in the case where the supplement and/or amendment result in discontinuity of the page numbers of the original specification and/or drawings.22 of the Patent Art.

Intellectual Property Office
Ministry of Economic Affairs

【TRANSLATION】

DECISION ON FIRST PATENT EXAMINATION

BY

INTELLECTUAL PROPERTY OFFICE

MINISTRY OF ECONOMIC AFFAIRS

Date: November 16, 2006

Ref No.: (95) IP-2(2)-04145-09520964270

I. APPLICATION No.: 092129353

II. Title: METHOD FOR PROCESSING CONNECTION REQUEST OF A DISK PLAYER

III. APPLICANT:

Name: LG Electronics, Inc.

Address: Korea

IV. PATENT ATTORNEY:

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V. FILING DATE: October 22, 2003

VI. PRIORITY: 1. March 6, 2002 Korea 10-2003-0014164

VII. EXAMINER: Huang, J. M.

VIII. CONTENTS:

Syllabus: No invention patent shall be granted

Provisions:

This decision is issued according to Article 44 of the Patent Law.

Reasons:

1. The present application entitled "METHOD FOR PROCESSING CONNECTION REQUEST OF A DISK PLAYER" is filed on October 22 2003. In response to the pre-notification of reasons for a possible rejection "Ref. No.: (94) IP-2 (5)-04145-09421041660" issued by this Office dated November 16, 2005, the

Applicant submitted an amendment on March 30, 2006 and this examination is proceeded on the basis of the amendment. The present application includes a total of 49 Claims, wherein Claims 1, 21, 31, 40, 47 are independent claims, and the others are dependent claims. After viewing the response filed by the Applicant, this office cannot adopt the response because of the following reasons.

2. The response filed by the Applicant arguing that all claims of the present application possess the inventive step is without merits. First of all, the technical difference between the present application and the Citation is merely directed to connect to the remote server if permitted or do not if not permitted. Obviously, since the ENVA disc of the Citation possesses the function connecting to the remote server, persons skilled in the art can conceive the followings: in a well-known example, a common proprietor selling legal discs can restrict the discs to access different data according to the ages of their buyers or prevent the illegal copy discs from accessing the content of the official website when providing support; in another example regarding antivirus software discs released by Trend Micro Incorporated, if the illegal copies made by the users create two or more sets of the same serial number, the website provides the updated virus pattern files will lock the antivirus software of the serial number and prevent its users from updating the virus pattern files; and in the other example, Taiwan Patent Publication No. 466,476 (please locate it at your end), whose publication date "December 1, 2001" predates the priority date of the present application, possesses the function of restricting accessing data of the website according to the identification number of the disc. Thus, although the Citation does not mention the technical feature that connect to the remote server if permitted or do not if not permitted recited in the present application, obviously, persons skilled in the art can easily conceive the function on the basis of the above-mentioned prior arts since the ENVA disc of the Citation possesses the function connecting to the remote server. Therefore, the present application lacks an inventive step.

3. The amended specification of the present application add the statement "*a(n) ENAV control file for determining whether ENAV or not based on existence of the ENAV control file.*" into Claim 40. However, it is merely a simple technical application.

4. From the above reasons, the present application is merely characterized in "switching" the technical feature of the prior art, such as, switch between

"connection" or "disconnection" according to the connection information existing in the disc; and adds a file determination into the technical feature of the prior ENAV discs in order to determine "ENAV" or "not ENAV" discs. However, the two "results" from the determination (i.e., having (positive result) and not having (negative result) the prior technical feature) is not a new result, i.e., a new technical feature. Therefore, it lacks an inventive step.

5. Claim 1 is a method for connecting a media player to a remote server, and the method comprises: (1) processing a request for connecting to a remote server while reproducing data recorded on an enhanced navigation medium (ENAV Medium); (2) processing connection information recorded on the enhanced navigation medium to determine whether connection to the remote server is permitted; (3) requesting connection to the remote server, if connection to the remote server is permitted in accordance with the connection information. However, the European Patent Publication no. EP1267352 (A2) published on December 18, 2002 and entitled "Information storage medium containing preload information, apparatus and method for reproducing there for" (the Citation) has disclosed the technical features of a method for utilizing the preload information of preload list file stored on the enhanced navigation (ENAV) medium while reproducing data recorded on the medium, wherein the preload list file contains the location information and the preload information and is implemented by an Application Program Interface (API). Further, the location information comprises the path of the preload list file and a resource locator, which indicates one of the memory, the information storage medium, and an internet server (see the illustrations recited in Paragraph [0015] to [0017] and Figure 3 of the Citation), which utilizes the preload list file comprising connection information connective to the path of network server recorded on the recording medium, and the preload file so as to connect to internet server by presentation engine (similar to the ENAV engine of the present invention and see the illustrations recited in Paragraph [0037] and Figure 3 of the Citation) so that the files can be preloaded into the memory while reproducing data recorded on the medium. Thus, the technical features recited in the Citation are similar to the technical features of Claim 1 recited in above steps (1), (2) and (3). Although, Claim 1 mentioned that it must make a decision to permit the connection to the remote server, and only if the connection to the remote server is permitted, the connection to the remote server is requested. However, such technical feature can be easily achieved by referring to the Citation. In sum, the key to reject

Claim 1 are that (A) both utilize the enhanced navigation (ENAV) medium; and (B) the connection information in both are recorded on the medium so as to connect to the remote server to read the preload list file. Therefore, Claim 1 can easily be achieved by ordinarily skilled persons in the relevant art based on existing prior art before the application for patent is filed. Consequently, the independent Claim 1 lacks an inventive step.

6. Claim 2 further restricts Claim 1, which defines that the connection is recorded in a start-up file, and reads the file prior to reproduction of the data recorded on the ENAV medium (see the illustrations recited in Paragraph [0050] and Figure 4 of the Citation). However, the Citation has mentioned that the file (STARTUP.HTM) on ENAV medium is designated as a start document. Consequently, Claim 2 lacks an inventive step.

7. Claim 3 further restricts Claim 2, which defines that the start-up file comprises information associated with a list of additional contents to be loaded before the data on the ENAV medium is reproduced. However, the Citation (see Figure 7 and Paragraph [0061] of Citation) has disclosed that the presentation engine identifies the connection address (the path of the preload list file) and reads the files (the preload list file). Then the presentation engine identifies the files to be preload, and the files are recorded in the preload list file (corresponding to a list of additional contents to be loaded of Claim 3). Consequently, Claim 3 lacks an inventive step.

8. Claim 4 further restricts Claim 2, which defines that the start-up file comprises information associated with a right to reproduce the data recorded on the ENAV medium. The present claim is merely related to a simple application. Consequently, Claim 4 lacks an inventive step.

9. Claim 5 further restricts Claim 2, which defines that the start-up file comprises information associated with a region code. However, the Citation has mentioned that invoke API, which is inserted into the region code bounded by script tag and reads the preload list file. Consequently, Claim 5 lacks an inventive step.

10. Claim 5 further restricts Claim 2, which defines that the start-up file comprises information associated with a region code. The present claim is merely related to a

simple application. Consequently, Claim 5 lacks an inventive step.

11. Claim 6 depends Claim 2, which defines that the start-up file comprises information associated with a language of the additional contents. However, DVD recording medium permits the selection of a variety of languages or subtitles. Therefore, it is easy to conceive of the language of additional information. Consequently, Claim 6 lacks an inventive step.

12. Claim 7 further restricts Claim 2, which defines that the start-up file comprises information associated with memory management. However, the Citation (see the Figure 10 of Citation) has disclosed that the size amount of the files to be preload is associated with memory. Consequently, Claim 7 lacks an inventive step.

13. Claim 8 further restricts Claim 2, which defines that the start-up file comprises information associated with a file to be processed after the start-up file is processed. The present claim and the Citation both process the other files only after the start-up file is processed. Consequently, Claim 8 lacks an inventive step.

14. Claim 9 further restricts Claim1, which defines that the connection information comprises a list of servers to which the media player may connect. The present claim is merely related to a simple application. Consequently, Claim 9 lacks an inventive step.

15. Claim 10 further restricts Claim1, which defines that the connection information comprises a list of servers to which the media player may not connect. The present claim is merely related to a simple application. Consequently, Claim 10 lacks an inventive step.

16. Claim 11 further restricts Claim1, which defines that the data recorded on the enhanced navigation medium comprises audio/video (A/V) data. The present claim is prior art of the Citation. Consequently, Claim 11 lacks an inventive step.

17. Claim 12 further restricts Claim 11, which defines that the data recorded on the enhanced navigation medium comprises additional contents associated with the A/V data. The present claim is prior art of the Citation (i.e. the A/V data and the

additional preload information is reproduced in synchronization, such as Claim 22 of the Citation). Consequently, Claim 12 lacks an inventive step.

18. Claim 13 further restricts Claim 12, which defines that the A/V data and the additional contents are reproduced in synchronization. The present claim is prior art of the Citation (i.e. the A/V data and the additional preload information are reproduced in synchronization, such as Claim 22 of the Citation). Consequently, Claim 13 lacks an inventive step.

19. Claim 14 further restricts Claim 1, which defines that the connection information comprises at least one connection address for connecting to the remote server. The present claim is merely related to a simple application based on the Citation (see the above reason concerning Claim 1). Consequently, Claim 14 lacks an inventive step.

20. Claim 15 further restricts Claim 1, which defines that a start-up file comprises the connection information, wherein the start-up file comprises information associated with a walled-garden file comprising location information about at least one server. The present claim is merely related to a simple application based on the Citation (see the above reason concerning Claim 1). Consequently, Claim 15 lacks an inventive step.

21. Claim 16 further restricts Claim 15, which defines that the walled-garden file comprises information about at least one server to which the media player may connect to retrieve additional contents associated with the data recorded on the enhanced navigation medium. The present claim is merely related to a simple application based on the Citation (see the above reasons concerning Claims 1, 9 and 15). Consequently, Claim 16 lacks an inventive step.

22. Claim 17 further restricts Claim 15, which defines that the walled-garden file comprises information about at least one server to which the media player may not connect to retrieve additional contents associated with the data recorded on the enhanced navigation medium. The present claim is merely related to a simple application based on the Citation (see the above reasons concerning Claims 1, 10 and 15). Consequently, Claim 17 lacks an inventive step.

23. Claim 18 further restricts Claim 15, which defines that the walled-garden file comprises at least one entry associated with loading information that controls access to information available on the at least one server. However, since the present claim is merely related to operation of the information on the walled-garden file, which is relative to the address of server, and the at least one server, its main spirit has been included in the Citation. Consequently, Claim 18 lacks an inventive step.

24. Claim 19 further restricts Claim 18, which defines that the loading information comprises at least a condition for loading information available on the at least one server. However, since the present claim is merely related to operation of the information on the walled-garden file, which is relative to the address of server, and the at least one server, its main spirit has been included in the Citation. Consequently, Claim 19 lacks an inventive step.

25. Claim 20 further restricts Claim 19, which defines that the loading information comprises at least one of a language or a profile supported by the media player. The present claim is merely related to a simple application, i.e. the known DVD supports the playback of different languages. Consequently, Claim 20 lacks an inventive step.

26. Claim 21 is a method for processing a connection request of an ENAV media player, the method comprising: (1) determining a current operating mode and connection limitation information, in response to a connection request for connecting the player to a remote server; (2) submitting the request to the remote server to establish a connection, based on the current operating mode and the connection limitation information. However, the present claim merely uses the connection information of the ENAV medium to connect to the remote server with limitation information, which merely adds a limitation function. The limitation function can be easily conceived of based on the connection information (for example, the function of remote connection is restricted to legal ENAV medium only). Moreover, the ENAV medium recited in the Citation also has preload list information to connect to the remote server and thus the present claim can be easily conceived by referring to the Citation. Consequently, Claim 21 lacks an inventive step.

27. Claim 22 further restricts Claim 21, which defines that the connection request is submitted, if the current operating mode is an enhanced navigation playback mode.

However, the Citation also comprises the STARTUP.HTM in the ENAV information to connect to the remote server and if the current operation mode is not an EAVE mode, the playback of the traditional AV data is submitted so as to conform to the known playback system. Consequently, Claim 22 lacks an inventive step.

28. Claim 23 further restricts Claim 21, which defines that the connection request is submitted, if the connection limitation information provides permission for the remote server to be contacted. The present claim is merely related to a connection of limitation information to the remote server and is also a simple application. Consequently, Claim 23 lacks an inventive step.

29. Claim 24 further restricts Claim 21, which defines that the connection request is submitted, if the current operating mode is an interactive disk playback mode and if the connection limitation information indicates that the remote server may be contacted. The present claim is merely related to a connection of limitation information to the remote server and is also a simple application. Consequently, Claim 24 lacks an inventive step.

30. Claim 25 further restricts Claim 21, which defines that the connection limitation information is included in a start-up file residing on an ENAV medium. However, the present claim is merely related to a simple application based on adding a limitation action to the connection information. Consequently, Claim 25 lacks an inventive step.

31. Claim 26 further restricts Claim 25, which defines that the start-up file is read prior to the player reproducing data recorded on the ENAV medium. Consequently, Claim 26 lacks an inventive step based on the above reason concerning Claim 2.

32. Claim 27 further restricts Claim 25, which defines that the start-up file comprises information associated with a list of additional contents to be loaded before data recorded on the ENAV medium is reproduced. Consequently, Claim 27 lacks an inventive step based on the above reason concerning Claim 3.

33. Claim 28 further restricts Claim 25, which defines that the start-up file comprises information associated with a right to reproduce data recorded on the ENAV medium.

Consequently, Claim 28 lacks an inventive step based on the above reason concerning Claim 4.

34. Claim 29 further restricts Claim 25, which defines that the start-up file comprises information associated with a region code. However, Claim 29 lacks an inventive step based on the above reasons concerning Claim 5. Consequently, Claim 29 lacks an inventive step based on the above reasons concerning Claim 5.

35. Claim 30 further restricts Claim 27, which defines that the start-up file comprises information associated with at least one of a language of the additional contents, a memory management, and a file to be processed after the start-up file is read. Consequently, Claim 30 lacks an inventive step based on the above reasons concerning Claims 6 to 8.

36. Claim 31 is an ENAV player for processing data recorded on a recording medium, the player comprising: (1) an audio/video (A/V) player engine; (2) an enhance navigation (ENAV) engine; wherein if the recording medium is not an enhance navigation medium then A/V data recorded on the recording medium is reproduced by the A/V player engine, and wherein if the recording medium is an ENAV medium, than a start-up file is loaded into a first memory so that the ENAV engine can extract connection information about at least one server with additional contents. However, the recording medium recited in the Citation comprises A/V zone and ENAV zone so as to be compatible with the player having A/V playback function only while being compatible with the player having the playback function of the ENAV medium. Moreover, the presentation engine (corresponding to the ENAV engine of the present claim) recited in the Citation loads the STARTUP.HTM into the memory first before playing the ENVA medium. Thus, the present claim can be easily be conceived by referring to the Citation. Consequently, Claim 31 lacks an inventive step.

37. Claims 32 to 39 further restrict Claim 31, and all define that the loading information of the start-up file comprises the limited conditions to limit access to a remote server. However, the limited conditions are merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access to the information, and there is a limited mechanism for protecting children from accessing the information and so on). Consequently, the Claims 32 to 39 lack

an inventive step based on the above reasons concerning Claims 1 to 20.

38. Claim 40 is an ENAV medium, the medium comprising: (1) A/V data; (2) connection information for controlling access to additional contents available through at least one remote server, wherein the additional contents is reproduced in synchronization with the A/V data. The present claim can be easily conceived by referring to Claim 22 recited in the Citation of reproducing AV data with additional preload information. Consequently, Claim 40 lacks an inventive step.

39. Claims 41 to 46 further restrict Claim 40, and all define that the connection information comprises a variety of condition to limit access to the additional contents available on a remote server. However, the limited conditions are merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access the information and so on). Consequently, the Claims 41 to 46 lack an inventive step based on the above reasons concerning Claims 1 to 20.

40. Claim 47 is a method of playing back A/V data recorded on an ENAV medium, the method comprising: (1) identifying a playback mode; (2) decoding a start-up file recorded on the enhanced navigation medium, if the playback mode identifies an enhanced navigation mode, wherein the start-up file comprises first an second information; (3) decoding the first information to determine location of at least one remote server that provides access to additional contents to be played back in synchronization with the A/V data; (4) decoding the second information to determine at least one condition associated with the additional contents. However, the present claim merely uses the connection information of the ENAV medium to connect to the remote server with limitation information, which merely adds a limitation function. The limitation function can be easily conceived of based on the connection information (for example, the function of remote connection is restricted to legal ENAV medium only, and there is a limited mechanism for protecting children from accessing to the information and so on). Moreover, the ENAV medium recited in the Citation also has preload list information to connect to the remote server and thus the present claim can be easily conceived by referring to the Citation. Consequently, Claim 47 lacks an inventive step.

41. Claims 48 and 49 further restrict Claim 47, and all define that the decoded first and

second information are associated with a profile, language, and parental condition for loading the additional contents. However, the limited condition is merely related to a simple application (for example, only legal ENAV medium can be permitted to make the connection so as to access to the information, and there is a limited mechanism for protecting children from accessing to the information and so on). Consequently, Claims 48 and 49 lack an inventive step based on the above reasons concerning Claims 1 to 20.

In sum, this application is in violation of the provisions set out in Article 22, Paragraph 4 of the Patent Law. We render our decision as stated under Article 44 of the Patent Law.

In case of dissatisfaction with the decision, the applicant may, within sixty (60) days immediately following the date of service, apply for a re-examination by submitting a statement of reasons and government fee of NT$ 8000. Note that additional government fee of NT$500 per 50 pages will be charged to any specification (including drawings) with a total page number exceeding 50.

正本

Official Letter

檔　　號
發文人員

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發文日期：中華民國95年11月16日
發文文號：（95）智專二（二）04145字第09520964270號
速　　別：
密等及解密條件或保密期限：
附　　件：

IPC: *G11B 7/007 (2006.01)*

一、申請案號數：092129353

二、發明名稱：用以處理磁碟播放器之連接請求的方法

三、申請人：

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五、申請日期：92年10月22日

六、優先權項目：

1 2003/03/06 南韓 10-2003-0014164

七、審查人員姓名：黃建鳴　委員

八、審定內容：

主文：本案應不予專利。

依據：專利法第44條。

理由：

(一)本案為「用以處理磁碟播放機之連接請求之方法」，其申請日為92年10月22日。本局於民國94年11月16日以(94)智專二(五)04145字第09421041660號專利申請案核駁理由先行通知書函請申請人修正，申請人於民國95年3月30日修正到局，依該修正本審查，申請之請求項共計49項，其中第1、21、31、40、47項為獨立項，其餘為附屬項。經詳酌申請人提出之申復理由書，歉難同意，理由如下。

(二)申請人於申復理由中，強調本案各項皆具進步性云云之說法，並不合理，首先本案與該引證案之技術特徵差別僅在於「是否允許針對該與遠端伺服器進行連結，如果允許則進行連結，若不行則不進行連結」而已，很明顯地，既然由該引證案之該ENAV碟片具有進行遠端伺服器之連結資訊之功能，具通常知識者可以很容易聯想到下列，例如一般販售合法碟片之業者在其提供售後服務時，可依針對售予不同年齡層之碟片限制該碟片進行不同資料之存取，或者限制非法拷貝碟片無法存取該合法網站之內容，此為一般常見者，舉例：如趨勢科技推出之防毒軟體之碟片，若使用者非法進行拷貝，以致於產生兩組相同(或以上)之序號者，則該病毒碼更新網站會鎖住具有該序號之防毒軟體使用者進行更新，又例如，早於本案優先權日之2001年12月01日之本國專利公報公告第466476號(請自行查閱)，其具有根據該碟片之識別碼限制存取網站資料之功能。因此，引證案雖未提及本案具有「是否允許針對該與遠端伺服器進行連結，如果允

許則進行連結，若不行則不進行連結」之技術特徵，但很明顯地，由於該引證案之ENAV碟片具有連結遠方伺服器之功能，具通常知識者自然而然地根據上述先前技術非常輕易地(easily)聯想到該項功能，因此，本案不具進步性明顯可得。

(三)同時，本案修正後請求項第40項增加「ENAV控制檔案，其係基於該ENAV控制檔案之存在來決定是否為ENAV之光碟」，亦僅簡單技術應用而已。

(四)也就是說，根據上述，本案各項之技術特徵僅是在該先前已有之技術特徵進行「是否具有該項技術特徵」的「切換(switch)」而已(如由已存在碟片之連結資訊進行「可連結」或「不可連結」之切換，及由已存在ENAV碟片之先前技術特徵中，藉由增加一檔案判斷以決定出「ENAV碟片」或「不是ENAV碟片」)，而此兩種判斷後產生之「結果」(即「具備該先前技術特徵(positive)」與「不具備該先前技術特徵」(negative))，皆非新的結果(即新技術特徵)。故很明顯地，不具進步性。

(五)請求項第1項為一種用以將媒體播放器連接到一個遠端伺服器上的「方法」，請求項第1項其方法包含(1)當進行一加強式導航媒體(ENAV Medium)上之資料再生時，處理一個連接到一個遠端伺服器之請求；(2)處理記錄在該加強式導航媒體之連結資訊，以決定是否允許對該遠端伺服器之連結；(3)如果根據該連結資訊，允許該連結到遠端伺服器，則請求連結到該遠端伺服器。經查西元2002年12月18日公開之歐洲專利公報公開第EP1267352(A2)號專利「Information storage medium containing preload information, apparatus and method for reproducing there for」(引證)，已揭露一種針對加強

式導航(ENAV)記錄媒體之資料於再生時，利用該記錄媒體之預載清單檔案(preload list file)之預載資訊(preload information)，該預載清單資訊包含位置資訊(location information)且預載資訊係由應用程式介面(API)實現，又該位置資訊係包含有預載清單檔案及資源來源位址(resource locator)，其表示一記錄媒體或一記憶體或一網路伺服器之路徑(引證Paragraph[0015]至[0017]及圖3之說明)，其利用由該記錄媒體記錄有預載清單資訊，且該預載清單資訊具有連結到網路伺服器之路徑的連結資訊，以使該記錄媒體之資料進行再生時，藉由表現引擎(其類同本案之ENAV引擎，如引證圖3及說明書Paragraph[0037]之說明)連結到網路伺服器以將資訊檔案預載到記憶體內之方法的技術特徵與本請求項上述(1)(2)(3)之技術特徵相似。雖然，本請求項有提及利用對該記錄媒體之連結到遠端伺服器係必需經由是否允許，並在允許後方能連結到該遠端伺服器，然此種技術特徵在由該引證案之說明來看，係可輕易完成者。亦即，本請求項核駁之重點在於(A)皆利用具有加強導航式(ENAV)記錄媒體；(B)該記錄媒體皆有記錄連結資訊以便再生時連結到遠端伺服器，以便讀取預載清單資訊。故請求項第1項係所屬技術領域中具有通常知識者依申請前之先前技術所能輕易完成者，故不具進步性。

(六)請求項第2項為第1項之限縮，界定該連結資訊係記錄在一個起始檔案，並在再生該ENAV媒體前，讀取該起始檔案。由於引證案已提及具有一起始檔案(STARTUP.HTM)於該ENAV媒體中(如引證案第4圖及Paragraph[0050])做為再生前之起始檔案，故請求項第2項不具進步性。

(七)請求項第3項為第2項之限縮，界定該起始檔案所包含之

資訊係相關於當再生該ENAV媒體上之資料前，欲載入之附加內容(additional contents)之一個清單。由於引證案(圖七及Paragraph[0061])已揭示該表現引擎針對該連結位址進行確認並進行讀取檔案及確認動作，該讀取之檔案係記錄在該預載清單檔案(其對應於本請求項之欲載入之附加內容之清單)，故請求項第3項不具進步性。

(八)請求項第4項為第2項之限縮，界定該起始檔案所包含之資訊係相關於用以再生該ENAV媒體所記錄之一個權限。本請求項僅為簡單應用，故請求項第4項不具進步性。

(九)請求項第5項為第2項之限縮，界定該起始檔案所包含之資訊係相關於一地區代碼。由於引證案已提及藉由文字標籤(script tag)限定地區(region bounded)以進行預載清單檔案資訊之讀取，故請求項第5項不具進步性。

(十)請求項第5項為第2項之限縮，界定該起始檔案所包含之資訊係相關於一地區代碼。本請求項僅為簡單應用，故請求項第5項不具進步性。

(十一)請求項第6項為第2項之限縮，界定該起始檔案所包含之資訊係相關於附加內容之語言。由於DVD記錄媒體具有各種不同語言(language)或字幕(subtitle)之選擇，因此很容易可想到其附加資訊之語言，故請求項第6項不具進步性。

(十二)請求項第7項為第2項之限縮，界定該起始檔案所包含之資訊係相關記憶體之管理。由於該引證案(引證案圖十)已揭示真對該預載清單資訊之大小係與記憶體相關，故請求項第7項不具進步性。

(十三)請求項第8項為第2項之限縮，界定該起始檔案所包含之資訊係相關於處理該起始檔案後欲處理之一個檔案。本請求項與該引證案皆係以起始檔案之處理後方進行其

它檔案之處理(如AV檔案配合該欲載清單檔案之播放)，故請求項第8項不具進步性。

(十四)請求項第9項為第1項之限縮，界定該連結資訊所包含一個伺服器清單係為該媒體播放器所可以連結的。本請求項僅為簡單應用，故請求項第9項不具進步性。

(十五)請求項第10項為第1項之限縮，界定該連結資訊所包含一個伺服器清單係為該媒體播放器所不可以連結的。本請求項僅為簡單應用，故請求項第10項不具進步性。

(十六)請求項第11項為第1項之限縮，界定該ENAV媒體所記錄者包含有AV資料。本請求項係為該引證案之已知技術，故請求項第11項不具進步性。

(十七)請求項第12項為第11項之限縮，界定該ENAV媒體所記錄者包含有與AV資料相關之附加內容。本請求項係為該引證案之已知技術(即AV資料與附加之預載資訊同時播放，如引證附件CLAIM 22)，故請求項第12項不具進步性。

(十八)請求項第13項為第12項之限縮，界定該ENAV媒體所記錄之AV資料與該附加內容係同步播放。本請求項係為該引證案之已知技術(即AV資料與附加之預載資訊同時播放，如引證附件CLAIM 22)，故請求項第13項不具進步性。

(十九)請求項第14項為第1項之限縮，界定該連結資訊至少包含一連結位址，用以連結到遠端伺服器。本請求項僅為引證案之簡單應用(見請求項第1項之說明)，故請求項第14項不具進步性。

(二十)請求項第15項為第1項之限縮，界定起始檔案包括該連結資訊，其中該起始檔案所包含之資訊相關於一圍籬花園檔案，該圍籬花園檔案係包括至少一伺服器之位置資訊。本請求項僅為引證案之簡單應用(見請求項第1項之說明)，故請求項第15項不具進步性。

(二十一)請求項第16項為第15項之限縮，界定該圍籬花園檔案所包括之連結資訊關於一至少一伺服器，該媒體播放器可以連結到該該伺服器，以重新取得與在該ENAV媒體所記錄之資料相關之附加資訊。本請求項僅為引證案之簡單應用(見請求項第1、9、15項之說明)，故請求項第16項不具進步性。

(二十二)請求項第17項為第15項之限縮，界定該圍籬花園檔案所包括之連結資訊關於一至少一伺服器，該媒體播放器不可以連結到該該伺服器，以重新取得與在該ENAV媒體所記錄之資料相關之附加資訊。本請求項僅為引證案之簡單應用(見請求項第1、10、15項之說明)，故請求項第17項不具進步性。

(二十三)請求項第18項為第15項之限縮，界定該圍籬花園檔案包括與載入之資訊相關於至少一個項目，該載入之資訊控制存取可得自該至少一伺服器之資訊。由於本請求項僅是在該圍籬花園檔案(與伺服器位址有關)及該至少一伺服器之資訊之運作，其主要精神皆涵蓋在該引證案內，故請求項第18項不具進步性。

(二十四)請求項第19項為第18項之限縮，界定該載入之資訊包含至少逼條件，用以載入可得到至少一伺服器之資訊。由於本請求項僅是在該圍籬花園檔案(與伺服器位址有關)及該至少一伺服器載入之資訊之運作，其主要精神皆涵蓋在該引證案內，故請求項第18項不具進步性。

(二十五)請求項第20項為第19項之限縮，界定該載入之資訊包括至少一由媒體播放器所支援之語言或一檔案。本請求項僅為簡單應用(如已知DVD之不同語言播放)，故請求項第20項不具進步性。

(二十六)請求項第21項為一種用以處理ENAV媒體播放器之連

結請求的「方法」，請求項第21項其方法包含(1)決定一現有之操作模式及連結之限制資訊，以回應一個用以將該播放器連結到一遠端伺服器上之連結請求；(2)依據該現有之操作模式及該連結限制資訊，送出請求該遠端伺服器以建立一個連結。由於本請求項僅是利用該ENAV媒體之連結資訊以對遠方伺服器進行限制資訊之連結操作，，其僅是增加其限制功能，依據連結資訊，可容易想到該限制功能(如僅限制合法ENAV媒體進行遠端連結之功能)，同時根據請求項第1項之說明，該引證案之ENAV媒體亦具有預載清單資訊以進行遠端網路之連結，故由該引證案可輕易推得本請求項，故請求項第21項不具進步性。

(二十七)請求項第22項為第21項之限縮，界定如果該現有操作模式是一個加強導航錄放模式，則送出該連結請求。由於引證案亦係在ENAV資訊中包含有該STSRTUP.HTM以進行遠端連結，若在不具ENAV模式下則進行傳統式之AV資料播放，以相容於習知播放系統，故請求項第22項不具進步性。

(二十八)請求項第23項為第21項之限縮，界定如果該限制連結資訊為允許接觸該遠端伺服器，則送出連結請求。本請求項僅為針對遠方伺服器進行限制資訊之連結，為簡單應用，故請求項第23項不具進步性。

(二十九)請求項第24項為第21項之限縮，界定如果該操作模式是一個互動磁碟錄放模式及如果該連結限制資訊指示可以同時同該遠端伺服器接觸。本請求項僅為針對遠方伺服器進行限制資訊之連結，為簡單應用，故請求項第24項不具進步性。

(三十)請求項第25項為第21項之限縮，界定該連結限制資訊

係包含在一個起始檔案，又該起始檔案係位在一ENAV媒體上。由於本請求項僅是在連結資訊上附加有限制作用，其僅是簡單應用，根據請求項第1項之說明，請求項第25項不具進步性。

(三十一)請求項第26項為第25項之限縮，界定該播放器再生捌ENAV媒體所記錄資料前，讀取該起始檔案。根據案請求項第2項之說明，請求項第26項不具進步性。

(三十二)請求項第27項為第25項之限縮，界定再生該ENAV媒體之記錄資料前，該起始檔案所包括之資訊與欲載入之附加內容的一個清單相關。根據案請求項第3項之說明，請求項第27項不具進步性。

(三十三)請求項第28項為第25項之限縮，界定該起始檔案所包括之資訊與將在該ENAV媒體所記錄資料再生的一個權限有關。根據請求項第4項之說明，第28項不具進步性。

(三十四)請求項第29項為第25項之限縮，界定該起始檔案所包括之資訊與一地區代碼有關。根據請求項第5項之說明，請求項第29項不具進步性。

(三十五)請求項第30項為第27項之限縮，界定該起始檔案所包括之資訊與該附加內容之一種語言、一記憶體及一個欲與該起始檔案被讀取後處理之檔案中之至少一個有關。根據請求項第6項至第8項之說明，請求項第30項不具進步性。

(三十六)請求項第31項為一種ENAV媒體之「播放器」，請求項第31項其用以處理記錄在一記錄媒體之資料，其包含(1)一A/V播放器引擎；(2)一ENAV引擎；如果該記錄媒體不是一ENAV媒體，則透過該A/V播放器引擎播放，如果該記錄媒體是一個ENAV媒體，則將該起始檔案載入一記憶體內，以使該ENAV引擎能夠以附加內容取得一至少伺服

器之連結資訊。由於引證案之記錄媒體具有A/V區域及ENAV區域，以使相容於僅具有A/V播放功能之播放器，並且亦可相容於具有ENAV媒體之播放(如引證附件圖3)，當進行播放其ENAV媒體前，先由該表現引擎(其對應於本請求項之ENAV引擎)將該STARTUP.HTM載入記憶體。故由該引證案可輕易推得本請求項，故第31項不具進步性。

(三十七)請求項第32至39項為第31項之限縮，其界定該起始檔案之載入資訊具有限制載入條件，以連結到一遠方伺服器進行存取，由於限制條件僅為簡單應用(例如合法ENAV媒體才能進行連結以取得資訊，或保護兒童之限制播放機制)，且根據請求項第1項至第20項之說明，故請求項第32至39項不具進步性。

(三十八)請求項第40項為一種ENAV之「媒體」，請求項第40項其包含(1)一A/V資料；(2)連結資訊，用以控制可對至一遠端伺服器取得之附加內容之存取，使該附加內容與該AV資料同步再生。該引證案之CLAIM 22利用該AV資料與附加之預載資訊同時播放該可輕易推得本請求項，本案修正後請求項第40項增加「ENAV控制檔案，其係基於該ENAV控制檔案之存在來決定是否為ENAV之光碟」，亦僅簡單技術應用而已，故請求項第40項不具進步性。

(三十九)請求項第41至46項為第40項之限縮，其界定該連結資訊包含有多種條件，以限制連結到一遠方伺服器進行附加資訊之存取。由於限制條件僅為簡單應用(例如合法ENAV媒體才能進行連結以取得資訊)，且根據請求項第1項至第20項之說明，故請求項第41至46項不具進步性。

(四十)請求項第47項為一種用以播放記錄在一ENAV媒體上AV資料之「方法」，請求項第47項其方法包含(1)確認一播放模式；(2)若為一ENAV模式，則解譯記錄在該ENAV媒體

上之起始檔案，該起始檔案具有第一及第二資訊；(3)解譯該第一資訊決定該至少一遠端伺服器之位置，該遠端伺服器提供對欲與該AV資料同步播放之附加內容之存取；(4)解譯第二資訊及決定該附加內容之至少一個條件。由於本請求項僅是利用該ENAV媒體之連結資訊以對遠方伺服器進行限制資訊之連結操作，其僅是增加其限制功能，依據連結資訊，可容易想到該限制功能(如僅限制合法ENAV媒體進行遠端連結之功能，或保護兒童之播放機制)，同時根據請求項第1項之說明，該引證案之ENAV媒體亦具有預載清單資訊以進行遠端網路之連結，故由該引證案可輕易推得本請求項，故第47項不具進步性。

(四十一)請求項第48至49項為第47項之限縮，其界定該解譯之第一資訊及第二資訊與附加內容之檔案語言母條件等相關。由於限制條件僅為簡單應用(例如合法ENAV媒體才能進行連結以取得資訊，或保護兒童之播放機制)，且根據請求項第1項至第20項之說明，故請求項第48至49項不具進步性。

據上論結，本案因違反專利法第22條第4項之規定，爰依專利法第44條，審定如主文。

局長 蔡練生

依照分層負責規定
授權單位主管決行

如不服本審定，得於文到之次日起60日內，備具再審查理由書一式2份及規費新台幣8千元整（專利說明書及圖式合計在50頁以上者，每50頁加收新台幣5百元，其不足50頁者以50頁

計），向本局申請再審查。